

Minneapolis Charter Commission Minutes

June 1, 2011 - 4:00 p.m.

Room 317 City Hall, Minneapolis, Minnesota

Commissioners Present: Clegg (Chair), Cohen, Connell, Dolan, Ferrara, Gerdes, Johnson, Kozak, Lazarus, Lickness, Metge, Peltola, Rubenstein, Sandberg, Schwarzkopf

Also Present: Carol Bachun, Assistant City Attorney

1. Roll Call

Chair Clegg called the meeting to order at 4:01 p.m. Roll call was taken.

2. Adopt Agenda

Lazarus moved that the agenda be amended to add an Item 7.5 relating to a proposed Charter amendment. Seconded.

Adopted upon a voice vote.

Absent - Johnson.

3. Approve minutes of regular meeting of May 4, 2011

Metge moved approval of the minutes of the meeting of May 4, 2011. Seconded.

Adopted upon a voice vote.

Absent - Johnson

4. Chair's Report

Clegg reported that all Commissioner's had received, via email, a copy of a Pioneer Press article regarding St. Paul's Charter Commission completing its redistricting. St. Paul's Charter requires that the city redistrict in a year ending in "1".

Governor Dayton vetoed the legislature's state-wide redistricting plan. Unless it is taken up during the special session, state-wide redistricting will take place next year. The Redistricting Group must adopt a plan within 60 days following the adoption of the state plan. Clegg will bring a proposed timeline to the next meeting.

Discussion

5. Introduction of New Commissioner: Dan Cohen.

Commissioner Cohen introduced himself and stated that he was formerly a member of the Minneapolis City Council and is currently a member of the Minneapolis Planning Commission. He lives in Ward 7. It was an honor and a privilege to become a member of the Minneapolis Charter Commission, and he looked forward to working with the Commission.

6. Communication Committee:**Discuss membership of Charter Commission Communication Committee.**

Clegg stated that the Communication Committee would deal with communication and keeping the Charter Commission website updated throughout the redistricting process. Commissioners Ferrara, Johnson, Kozak, and Sandberg would serve on the Committee.

7. Report from Advisory Group Selection Committee:**Consider Committee recommendation for Advisory Group membership.**

Sandberg reported on the process the Committee followed in interviewing and selecting the slate of candidates to serve on the Advisory Group. The first meetings focused on developing the job description, application form, FAQ, and communication strategy. Six meetings included 32 candidate interviews. The characteristics sought included contribution to the Redistricting Group's diversity, including geography and ethnicity, knowledge of communities, active citizenry, willingness to represent the entire city, and the ability to work in a collegial, collaborative manner to help the 24-member Redistricting Group complete its work. The recommended candidates live in seven different wards, including wards not currently represented on the Charter Commission. The recommended applicants are:

1. Jay Bad Heart Bull, Ward 12, Howe
2. Matthew Brown, Ward 1, Audubon Park
3. Terra Cole, Ward 3, Hawthorne
4. Jill Garcia, Ward 8, Field
5. Denny Heinle, Ward 4, Lind-Bohanon
6. Jeanne Massey, Ward 8, Kingfield
7. Sandra Richardson, Ward 8, Regina
8. Gary Thaden, Ward 10, Lowry Hill East
9. Adosh Unni, Ward 6, Whittier

Sandberg encouraged applicants not appointed to the Advisory Group to participate in the meetings.

Commissioner Sandberg was commended for her work in chairing the Committee.

Schwarzkopf stated that he was concerned that there were three candidates recommended from Ward 8. He would have chosen Malcolm Bisson from Ward 2 in lieu of one of the three candidates from Ward 8. Ward 2 is not represented on the Charter Commission or in the proposed slate of candidates.

Johnson agreed with Commissioner Schwarzkopf that there should be a representative from Ward 2. Rather than having three representatives from Ward 8, she would like to see more diversity in the Advisory Group.

Schwarzkopf moved to substitute the name of Malcolm Bisson for the name of Jeanne Massey on the proposed slate of candidates for the Advisory Group. Seconded.

The Commission discussed the geographic diversity of the applicants and the criteria used by the Selection Committee in choosing the slate of candidates.

The Schwarzkopf motion to substitute the name of Malcolm Bisson for the name of Jeanne Massey lost upon a voice vote.

The slate of candidates recommended by the Advisory Group Selection Committee was adopted upon a voice vote.

Clegg added his thanks to the entire Committee, especially Commissioner Sandberg.

7.5 Proposed Charter Amendment:

Commissioner Lazarus proposal to amend the Charter relating to the Park Board.

Lazarus stated that recently there was a proposal before the Park Board to adopt a Letter of Intent involving the use of water over St. Anthony Falls, and it was a document that would have put the City at risk in many different ways. He planned to work with the City Attorney to draft amendment language to bring to the next Charter Commission meeting providing that all legal services, advice, and counsel in legal matters for the Park Board be provided by the Minneapolis City Attorney's Office rather than allowing them to hire their own counsel. He recognized that the Commission may feel the amendment was outside the purview of the Plain Language Charter Revision.

Sandberg requested that Commissioner Lazarus discuss with the City Attorney the issue of financials relating to the proposed amendment.

Clegg stated that a Commissioner choosing to bring forward a Charter amendment would propose specific language to the Charter Commission. If the Commission is interested in moving it forward, they would hold public hearings before making a determination as to whether or not to place the proposed amendment on the ballot. Commissioners must also decide whether the proposed amendment should be part of the Plain Language Charter Revision or whether it should be a separate amendment in order to avoid putting a substantive amendment into the Revision. He noted that the City frequently uses outside counsel for special projects or where there might be a conflict.

Michael Salchert, Legal Counsel for the Park Board, was present and stated that Commissioner Lazarus might be misinformed or misinterpreting the exposure of liability that may have existed from the Letter of Intent which was never passed by the Park Board. He added that the Plain Language Charter Revision was proposed with the idea that it contain no substantive changes. Commissioner Lazarus' proposal deserved separate consideration.

Old Business

8. Plain Language Charter Revision:

Future presentation by City Attorney's Office.

Committee of the Whole Action Taken 5/12/2011: Postponed to 6/16/2011.

Clegg stated that the Committee of the Whole had postponed consideration of the Plain Language Charter Revision until June 16, as they are apparently still in discussions with the Park Board, among others, on the final language that has been recommended by the City Attorney.

Ferrara expressed his concern that the Revision could be delayed to a point where it would be too late to place it on the 2012 ballot.

Clegg stated that he would make sure that the Charter Commission took action on the Revision by the appropriate time next year in order to place the question on the 2012 ballot.

Public Commentary

There was no one present wishing to address the Charter Commission.

Lazarus moved to adjourn. Seconded.
Adopted upon a voice vote.

The meeting was adjourned at 4:49 p.m.

Peggy Menshek
Council Committee Coordinator